

## **MINUTES**

### **MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION COMMITTEE ON STATE ADMINISTRATION**

**Call to Order:** CHAIRMAN JIM SHOCKLEY, on January 19, 2009 at 3:00 P.M., in Room 335 Capitol.

#### **ROLL CALL**

**Members Present:**

Sen. Jim Shockley, Chairman (R)  
Sen. John Brueggeman, Vice Chairman (R)  
Sen. Keith Bales (R)  
Sen. Joe Balyeat (R)  
Sen. Jerry W. Black (R)  
Sen. John Brenden (R)  
Sen. Mike Cooney (D)  
Sen. Larry Jent (D)  
Sen. Carolyn Squires (D)  
Sen. Joseph (Joe) Tropila (D)  
Sen. Jonathan Windy Boy (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Dave Bohyer, Legislative Branch  
Libby Goodwin, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: SB 186, 1/15/2009; SB187,  
1/15/2009; SB 196, 1/15/2009  
Executive Action: SB 20, SB 196

**EXECUTIVE ACTION ON SB 20**

00:00:10 **Motion:** SEN. JENT moved that **SB 20 DO PASS.**

**Discussion:**

00:00:31 Sen. Jent

**EXHIBIT**(sts12a01)

00:08:40 Chairman Shockley

00:08:50 Sen. Cooney

00:09:54 Sen. Jent

00:10:50 Sen. Cooney

00:12:36 Sen. Jent

00:12:46 Sen. Cooney

00:14:05 Chairman Shockley

00:14:46 **Motion/Vote:** SEN. JENT moved that **SB 20 BE AMENDED** (Exhibit 1). Motion carried unanimously by voice vote. Sen. Brueggeman and Sen. Balyeat voted by proxy. Sen. Black and Sen. Tropila did not vote.

00:15:35 **Motion:** SEN. JENT moved that **SB 20 DO PASS AS AMENDED.**

00:15:42 Sen. Bales

00:16:26 Sen. Jent

00:17:02 Chairman Shockley

00:17:17 Sen. Bales

00:17:53 Sen. Cooney

00:18:08 Chairman Shockley

00:18:16 **Motion/Vote:** SEN. BALES moved that **SB 20 BE CONCEPTUALLY AMENDED** to strike Page 1, Line 9 through Page 2, Line 9. Motion carried unanimously by voice vote. Sen. Brueggeman and Sen. Balyeat voted by proxy. Sen. Tropila did not vote.

00:20:12 **Motion/Vote:** SEN. JENT moved that **SB 20 DO PASS AS AMENDED.** Motion carried unanimously by voice vote. Sen. Balyeat and Sen. Brueggeman voted by proxy. Sen. Tropila did not vote.

00:20:20 Sen. Brenden left the hearing to present a bill

00:20:30 recess

00:27:06 reconvene

**HEARING ON SB 186**

00:27:21 **Opening Statement by Sponsor:** SEN. JOE BALLYEAT (R), SD 34, opened the hearing on SB 186, Voluntary party affiliation on voter registration; and caucus participation.

**Proponents' Testimony:**

00:32:22 None

**Opponents' Testimony:**

00:32:29 Linda McCulloch, Secretary of State  
**EXHIBIT**(sts12a02)

00:35:06 Sheena Rice, Montana Public Interest Research Group,  
Student Public Interest Research Group

00:37:00 Kate Cholewa, Common Cause

**Informational Testimony:**

00:37:34 None

**Questions from Committee Members and Responses:**

00:37:43 Sen. Cooney

00:39:04 Sen. Balyeat

**Closing by Sponsor:**

00:39:57 Sen. Balyeat  
**EXHIBIT**(sts12a03)

**HEARING ON SB 196**

00:42:14 **Opening Statement by Sponsor:** SEN. JONATHAN WINDY BOY (D), SD 16, opened the hearing on SB 196, State holiday for American Indian Heritage celebration.

**Proponents' Testimony:**

00:45:33 Charmayne Healy, Student

00:46:46 Pam Bucy, Confederated Salish and Kootenai Tribe

00:47:14 Samantha Webb, Student

00:48:33 Lynda Brannon, Indian Impact Schools of Montana

00:49:31 Joseph Quincy, Student

00:51:43 Charmayne Healey, Student

00:52:53 Christina Flansburg, Student

00:54:19 Sen. J. Tropila

00:54:58 Arla J. Gourneau, Turtle Mountain Band Chippewa

**Opponents' Testimony:**

00:56:29 Cindy Swank, Citizen

[EXHIBIT\(sts12a04\)](#)

00:56:00 David Ewer, Budget Director

[EXHIBIT\(sts12a05\)](#)

**Informational Testimony:**

00:59:19 None

**Questions from Committee Members and Responses:**

00:59:25 Sen. Balyeat

01:00:24 Sen. Windy Boy

01:01:07 Sen. Cooney

01:01:31 Sen. Shockley

01:01:42 **Closing by Sponsor:** Sen. Windy Boy

[EXHIBIT\(sts12a06\)](#)

[EXHIBIT\(sts12a07\)](#)

**HEARING ON SB 187**

01:06:51 **Opening Statement by Sponsor:** SEN. JOE BALLYEAT (R), SD  
34, opened the hearing on SB 187, Limit districting to  
1% deviation.

[EXHIBIT\(sts12a08\)](#)

[EXHIBIT\(sts12a09\)](#)

[EXHIBIT\(sts12a10\)](#)

[EXHIBIT\(sts12a11\)](#)

**Proponents' Testimony:**

01:28:52 Chuck Denowh, United Property Owners of Montana

[EXHIBIT\(sts12a12\)](#)

[EXHIBIT\(sts12a13\)](#)

01:34:01 William Selph, Student

01:35:19 Rep. McLaren, HD 89

**Opponents' Testimony:**

01:36:20 None

**Informational Testimony:**

01:36:24 None

**Questions from Committee Members and Responses:**

01:36:31 Sen. Cooney  
01:36:51 Sen. Balyeat  
01:38:23 Sen. Cooney  
01:38:33 Sen. Balyeat  
01:39:33 Sen. Cooney  
01:40:17 Sen. Balyeat

01:41:32 **Closing by Sponsor:** Sen. Balyeat

01:47:00 Recess  
01:57:15 Reconvene

**EXECUTIVE ACTION ON SB 196**

01:57:18 **Motion:** SEN. WINDY BOY moved that **SB 196 DO PASS.**

01:57:20 **Motion:** SEN. WINDY BOY moved that **SB 196 BE AMENDED.**  
**EXHIBIT**(sts12a14)

**Discussion:**

01:58:10 Sen. Windy Boy  
01:59:58 Sen. Shockley

02:00:05 **Vote:** Motion carried unanimously. Sen. Balyeat voted by proxy.

02:00:15 **Motion:** SEN. WINDY BOY moved that **SB 196 DO PASS AS AMENDED.**

02:00:27 Sen. Black  
02:00:40 Sen. Windy Boy  
02:01:29 Sen. Bales  
02:01:45 Sen. Windy Boy  
02:02:27 Sen. Brenden  
02:04:42 Chairman Shockley  
02:05:06 Sen. Balyeat  
02:05:36 Sen. Windy Boy

02:06:24 **Vote:** Motion carried 9-2 by roll call vote with SEN. BALES and SEN. BRENDEN voting no.

**EXECUTIVE ACTION ON SB 186**

02:08:59 **Motion:** SEN. BALYEAT moved that **SB 186 DO PASS.**

**Discussion:**

02:09:30 Sen. Balyeat  
02:10:05 Sen. Cooney  
02:12:31 Sen. Brueggeman  
02:14:21 Chairman Shockley  
02:15:14 Sen. Squires  
02:15:40 Chairman Shockley  
02:15:58 Sen. Squires  
02:17:42 Sen. Brueggeman  
02:18:59 Sen. Brenden  
02:20:19 Chairman Shockley  
02:20:33 Sen. Bales  
02:21:37 Sen. Balyeat

02:23:30 **Vote:** Motion failed 5-6 by roll call vote with SEN. BALES, SEN. BALYEAT, SEN. BLACK, SEN. BRENDEN, and SEN. SHOCKLEY voting aye.

02:25:48 **Motion:** SEN. BALYEAT moved that **SB 186 BE TABLED AND THE VOTE REVERSED.** There was no objection.

**ADJOURNMENT**

Adjournment: 5:05 P.M.

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LIBBY GOODWIN, Secretary

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Additional Exhibits:

**EXHIBIT ([sts12aad.pdf](#))**